

### REMARKS

The present Amendment is provided in response to the Office Action dated August 13, 2007. The Official Action rejected all of the claims that are currently pending in the application under 35 U.S.C. § 103(a) as being obvious over one of the following combinations: (i) U.S. Patent Application Publication No. 2003/0033296 to Rothmuller *et al.* (“*Rothmuller*”) and U.S. Patent Application Publication No. 2003/0095143 to Lauris (“*Lauris*”); (ii) *Rothmuller, Lauris*, and U.S. Patent Application Publication No. 2002/0113803 to Samra *et al.* (“*Samra*”); or (iii) *Rothmuller, Lauris, Samra*, and U.S. Patent Application Publication No. 2002/0147744 to Smith *et al.* (“*Smith*”). Some claims were also objected to based on informalities.

By this Amendment, Applicants have amended Claims 1, 11, 21, 30, and 32; have canceled Claims 42, 51, and 60; and have added Claim 61. No new matter has been added, as the recitation of Claim 61 was formerly included in Claim 11, from which Claim 61 depends. Applicants respectfully request reconsideration of all of the pending claims in view of the preceding amendments and the following remarks.

#### **I. Claim Rejections**

Amended independent Claim 1 reads as follows:

1. An application for accessing media files on a digital device, the application comprising a computer readable storage medium having computer-readable program instructions embodied in the medium, the computer-readable program instructions comprising:
  - first instructions for generating a media view that provides access to digital media files and associates digital media files with a period of time; and
  - second instructions for generating an information identifier that is associated with at least one item of information including at least one of a digital media file, a calendared event and a period of time, wherein the information identifier enhances identification of the at least one item of information by displaying a frame around the at least one item of information based on metadata associated with the item of information.

Independent Claims 11 and 21 include similar recitations regarding “displaying a frame around the at least one item of information based on metadata associated with the item of information.”

The Official Action indicates that *Lauris* teaches “instructions for adding frames to items of information based on metadata associated with the item of information (section 23).” *See* p. 5

of the Official Action. However, this statement appears to be an inaccurate characterization of *Lauris*.

*Lauris* is directed to a system that isolates all of the information that determines the look and feel of status displays of a graphical user interface (GUI) into one file. This file can be edited to change the appearance when needed. *See Lauris*, Abstract. In one embodiment, the invention is integrated with a “clustering solution product” that uses a GUI including a map of the clusters, nodes, and packages of a monitored computer network. *See Lauris*, paragraph 0021. Each cluster/node may have a border, the color of which serving to indicate, for example, whether or not the associated item is fully, partially, or non-functional. *See* paragraphs 0021-0023 of *Lauris*.

In light of both the above description and the Official Action’s referencing of “section 23” of *Lauris*, it is apparent that the Official Action attempts to classify the “operational status of the various nodes and clusters” as metadata. However, this appears to be contrary to the common definition of “metadata,” which is commonly described as follows: “[a]ny item of data is a description of something. Metadata is a type of data where the something being described is data. Or, as it is often put, metadata is data about data.” *See, e.g.,* [www.wikipedia.org](http://www.wikipedia.org). Applicants respectfully submit that the data regarding operational status of the nodes/clusters discussed in *Lauris* are not metadata. Rather, these data regarding operational status are the only data being collected, and the frame colors in *Lauris* are simply indicators of those data rather than being related to any metadata.

The above discussed deficiency in *Lauris* is not cured by any of *Rothmuller*, *Samra*, or *Smith*. As such, for at least these reasons, Applicants respectfully submit that independent Claims 1, 11, and 21, and also the claims respectively depending therefrom, are patentable over *Lauris*, *Rothmuller*, *Samra*, and *Smith*, taken either alone or in combination.

## **II. Claim Objections**

The Official Action objected to Claims 30 and 32 for various informalities. Applicants have hereby amended these claims to address these issues. Applicants respectfully submit that Claims 30 and 32 are now in condition for allowance.

### **III. Conclusion**

In view of the remarks and amendments presented above, it is respectfully submitted that all of the claims of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. The Examiner is requested to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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